

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

CANDICE MICHELLE HARDWICK
by and through her Parents and Guardians
DARYL LEWIS HARDWICK and
PRISCILLA LEA HARDWICK;

Plaintiffs,

vs.

MARTHA HEYWARD in her
individual capacity and in her official
capacity as Principal of Latta Middle
School;
GEORGE H. LIEBENROOD, JR.,
In his individual capacity and in his
official capacity as Principal of
Latta High School, and the Board of
Trustees of Latta School District (Dillon
County No. 3),

Defendants.

CIVIL ACTION NO: 4:06 CV 1042

PLAINTIFF'S MOTION TO FILE UNOPPOSED BRIEF OUT OF TIME

COMES NOW Plaintiff Candice Michelle Hardwick with this her unopposed motion to file her brief out of time, and in support of said motion would submit unto this Honorable Court the following:

That Plaintiff's Response to Defendants' Motion for Summary Judgment is due on or about Friday, June 26, 2009. Plaintiff's response is complete in hard copy format, and is being shipped to Lexington to Co-counsel Lourie A. Salley, III's office. Plaintiff's co-counsel Kirk D. Lyons does not have electronic filing privileges at his office with the federal courts of South Carolina and must utilize Salley's office for electronic filing. Unfortunately Mr. Salley's electronic filing clerk is unavailable until Monday, June 29, 2009, to electronically file Plaintiff's brief. Filing the Response on Monday will not inconvenience either the court or opposing counsel – who state that they are unopposed to the granting of Plaintiff's motion, or to quote learned opposing counsel: "No problem."

Plaintiff requests of this court that she be allowed to file her Response brief out of time on Monday, June 29, 2009.

Respectfully submitted,

LOURIE A. SALLEY, III
BY: S/ LOURIE A SALLEY, III
Federal ID: 4792
821 East Main St., Suite A
Lexington, SC 29072
Telephone: (803) 957-1036
Email: lasalley@windstream.net

SOUTHERN LEGAL RESOURCE CENTER, INC.
By: S/ KIRK DAVID LYONS
Pro Hac Vice
Federal ID: 8472
Post Office Box 1235
Black Mountain, NC 28711
Telephone: (828) 669-5189
Facsimile: (828) 669-5191
Email: slrc@clrc-csa.org

ATTORNEYS FOR THE PLAINTIFF